

# Kentucky Gazette.

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[VOL. XXXIII.]

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## Laws of the United States. (BY AUTHORITY.)

AN ACT  
Establishing a separate territorial government  
in the southern part of the Territory of  
Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fourth day of July next, that part of the territory of Missouri, which lies south of a line beginning on the Mississippi river, at thirty-six degrees north latitude, running thence west to the river St. Francis; thence up the same to thirty-three degrees thirty minutes north latitude; and thence, west, to the western territorial boundary line, shall, for the purposes of a territorial government, constitute a separate territory, and be called the Arkansas territory.

Sec. 2. And be it further enacted, That there shall be established in the said territory of Arkansas, a temporary government, to consist of three departments, the executive, the legislative, and the judiciary.

Sec. 3. And be it further enacted, That the executive power shall be vested in a governor, who shall reside in the said territory, and shall hold his office during three years, unless sooner removed by the president of the United States; he shall be commander in chief of the militia of said territory, shall have power to appoint and commission all officers required by law to be appointed for said territory, whose appointments are not otherwise provided for by this act; shall take care that the laws be faithfully executed; shall have power to grant pardons for offences against the said territory, and reprieves for those against the United States, until the decision of the president thereon shall have been made known; shall, on extraordinary occasions, have power to convene the general assembly, hereinafter provided for, after noon shall have been or be proclaimed in laws; shall, ex-officio, be superintendent of Indian affairs, and shall have such other powers and perform such further duties as are by law given to, and imposed on, the governor of the Missouri territory, in all cases in which they shall become legally applicable to the territory of Arkansas.

Sec. 4. And be it further enacted, That there shall be a secretary for the said territory, who shall reside therein, and continue in office for the term of four years, unless sooner removed by the president; he shall perform all the duties imposed on the secretary for the territory of Missouri, by an act of Congress of the fourth of June, eighteen hundred and twelve, entitled "an act providing for the government of Missouri."

Sec. 5. And be it further enacted, That the legislative power shall, until the organization of the general assembly, hereinafter provided for, be vested in the governor and the judges of the superior court of the territory, who shall have power to pass any law for the administration of justice in said territory, which shall not be repugnant to this act, or in consistent with the constitution of the United States; and that, whenever the general assembly shall be organized, all the legislative power of the territory shall be vested in and be exercised by the said general assembly.

Sec. 6. And be it further enacted, That so much of the act of Congress of the fourth of June, eighteen hundred and twelve, entitled "An act providing for the government of the territory of Missouri," as relates to the organization of a general assembly therein, prescribes the powers and privileges thereof, the mode of election, and period of service, of the members thereof, shall, in all respects, be in full force and operation in the Arkansas territory, to the extent of its application, so soon as the governor thereof shall be satisfied that such is the desire of a majority of the freeholders thereof, and not until then: Provided, That until there shall be five thousand free white males of the age of twenty-one years and upwards, resident in the said territory, the whole number of representatives shall not exceed nine.

Sec. 7. And be it further enacted, That the judicial power of the territory shall be vested in a superior court, and in such inferior courts as the legislative department of the territory shall, from time to time, institute and establish, and in justices of the peace. The superior court shall be composed of three judges, who shall reside in the territory, and continue in office for the term of four years, unless sooner removed by the president. The superior court shall have jurisdiction in all criminal and penal cases, and exclusive cognizance of all capital cases, and shall have and exercise original jurisdiction concurrently with the inferior courts, and exclusive appellate jurisdiction in all civil cases, in which the amount in controversy shall be one hundred dollars or upwards. The superior court shall be held at such times and place or places as the legislative department shall direct, and continue in session until the business therein shall be disposed of, or as long as shall be prescribed by law: Provided, That any two of the judges shall constitute a court of appellate, and any one a court of original jurisdiction.

Sec. 8. And be it further enacted, That the governor, secretary, judges, and all other officers, of the territory, civil and military, shall, before they enter on the duties of their offices, take an oath or affirmation to support the constitution of the United States, and to discharge, with fidelity, the duties of their respective offices; the governor before a judge of the supreme or district court of the United States, or a judge of the superior court of the said territory; the secretary and judges before the said governor, or a judge of the supreme or district court of the United States; and all other officers before the governor or any of the judges of the supreme or inferior courts or justices of the peace of said territory.

Sec. 9. And be it further enacted, That the governor, secretary, and judges of the superior court, authorized for said territory, during the temporary government thereof, shall be appointed by the president of the United States, with the advice and consent of the

Senate: Provided, That the president shall have full power, during the recess of the senate, to commission all or any of the said officers, until the end of the session of congress next succeeding the date of the commission. The governor, secretary, and judges of the superior court, shall receive the same compensation, payable quarterly, which the governor, secretary, and superior judges, of the Missouri territory are entitled to by law.

Sec. 10. And be it further enacted, That all the laws which shall be in force in the territory of Missouri, on the fourth day of July next, not inconsistent with the provisions of this act, and which shall be applicable in the territory of Arkansas, shall be, and continue in force in the latter territory, until modified or repealed by the legislative authority thereof.

Sec. 11. And be it further enacted, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt from all taxes for the term of three years, from and after the date of the patents respectively.

Sec. 12. And be it further enacted, That whenever, according to the provisions of this act, the people of the Arkansas territory shall have a right to elect members of the house of representatives of their general assembly, they shall also have the right to elect a delegate from the said territory to the congress of the United States, who shall possess the same powers, enjoy the same privileges, and receive the same compensation, granted and secured by law to the delegates from other territories.

Sec. 13. And be it further enacted, That until otherwise directed by the legislative department of the said territory of Arkansas, the seat of the territorial government thereof shall be the post of Arkansas, on the Arkansas river.

Sec. 14. And be it further enacted, That the line established by law, between the land offices at the seat of justice in the county of Lawrence, and the town of Jackson, in the county of Cape Girardeau, shall, from and after the passage of this act, be so altered as to run, be the same, and correspond, with the northern line of the said territory of Arkansas, any thing in the act, entitled, "An act making provision for the establishment of additional land offices in the territory of Missouri," passed the seventeenth day of February, one thousand eight hundred and eighteen, to the contrary notwithstanding.

H. CLAY,  
Speaker of the House of Representatives  
J. S. BARBOUR,  
President of the Senate, pro tempore.  
March 2, 1849—Approved.  
JAMES MONROE.

JAMES MONROE,  
President of the United States of America,  
TO ALL AND SINGULAR TO WHOM THESE PRESENTS  
SHALL COME, GREETING:  
WHEREAS, a treaty between the United States of America and the Wyandot Tribe of Indians, was made and concluded, at St. Mary's, in the State of Ohio, on the twentieth day of September, in the year of our Lord one thousand eight hundred and eighteen, by commissioners on the part of the said United States, and certain chiefs and warriors of the said tribe, on the part and in behalf of the said tribe, which treaty is in the words following, to wit:

Articles of a treaty made and concluded at St. Mary's, in the State of Ohio, between Lewis Cass, commissioner of the United States thereunto especially authorized by the President of the United States, and the Chiefs and Warriors of the Wyandot tribe of Indians.  
Article 1. The Wyandot tribe of Indians hereby cede to the United States all the right reserved to them in two tracts of land, in the territory of Michigan, one including the village called Brownstown, and the other the village called Maguaga, formerly in the possession of the Wyandot tribe of Indians, containing in the whole not more than five thousand acres of land, which two tracts of land were reserved for the use of the said Wyandot tribe of Indians, and their descendants, for the term of fifty years, agreeably to the provisions of the act of Congress, passed February 23, 1809, and entitled "An act for the relief of certain Alabama and Wyandot Indians."

Article 2. In consideration of the preceding cession, the United States will reserve, for the use of the said Wyandot Indians, sections numbered twenty-three, twenty-four, twenty-five, twenty-six, thirty-four, thirty-five, thirty-six, twenty-seven, and that part of section numbered twenty-two, which contains eight acres, and lies on the south side of the river Huron, being in the fourth township, south of the base line, and in the ninth range east of the first meridian, in the territory of Michigan, and containing four thousand nine hundred and ninety-six acres, and the said tract of land shall be reserved for the use of the said Wyandot Indians, and their descendants, and be secured to them in the same manner and on the same terms and conditions, as is provided in relation to the Alabama Indians, by the first section of the before mentioned act of congress, except that the said Wyandot Indians, and their descendants, shall hold the said land, so long as they or their descendants shall occupy the same.

In testimony whereof, the said Lewis Cass, commissioner as aforesaid, and the chiefs and warriors of the said Wyandot tribe of Indians, have hereunto set their hands, at St. Mary's, in the State of Ohio, this twentieth day of September, in the year of our Lord one thousand eight hundred and eighteen.

LEWIS CASS.  
Ronceass, or Honas x  
Hanslaugh, or Boyer x  
Ronceass, or Racer x  
Ronceass, or Joseph x  
Scoutish x  
Duroche, or half king x  
Aroive, or Cherokee boy x  
Taranthe, or between the logs x

In presence of  
R. A. Forsyth, jr. secretary to the commission.  
John Johnston, Indian Agent.  
B. F. Stickney, S. I. A.  
W. W. Walker, Interpreter.  
John Connor.

Now, therefore, be it known, that I, James Monroe, President of the United States of America, having seen and considered the said treaty, have, by and with the advice and consent of the senate, accepted, ratified, and confirmed the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and have signed the same with my hand.

Done at the city of Washington, this seventh day of January, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-third year of American Independence.

JAMES MONROE,  
By the President,  
JOHN QUINCY ADAMS,  
Secretary of State.

JAMES MONROE,  
President of the United States of America,  
TO ALL AND SINGULAR TO WHOM THESE PRESENTS  
SHALL COME, GREETING:

WHEREAS, a Treaty between the United States of America and the Wea tribe of Indians, was made and concluded at St. Mary's, on the second day of October, in the year of our Lord one thousand eight hundred and eighteen, by Commissioners on the part of the said United States, and certain Sachems, Chiefs and Warriors of the said tribe, on the part and in behalf of the said tribe, which Treaty is in the words following, to wit:

Articles of a treaty made and concluded at St. Mary's, between the United States of America, by their commissioners, Jonathan Jennings, Lewis Cass, and Benjamin Parke, and the Wea tribe of Indians.

Art. 1. The said Wea tribe of Indians agree to cede to the United States all the lands claimed and owned by the said tribe, within the limits of the states of Indiana, Ohio, and Illinois.

Art. 2. The said Wea tribe of Indians reserve to themselves the following described tract of land, viz: beginning at the mouth of Racoon creek; thence by the present boundary line, seven miles; thence north-easterly, seven miles, to a point seven miles from the Wabash river; thence to the Wabash river, by a line parallel to the present boundary line aforesaid; and thence, by the Wabash river, to the place of beginning, to be held by the said tribe as Indian reservations are usually held.

Art. 3. The United States agree to grant to Christmas Dageny and Mary Shields, formerly Mary Dageny, children of Mechiwamequa, sister of Jacob, a chief of the said tribe, and their heirs, one section of land each; but the land hereby granted shall not be conveyed or transferred to any person or persons by the grantees aforesaid, or their heirs, or either of them, but with the consent of the President of the United States.

Art. 3. The said Wea tribe of Indians agree to cede to, and sanction the cession of land made by the Kickapoo tribe of Indians, in the second article of a treaty concluded between the United States and the said Kickapoo tribe, on the ninth day of December, one thousand eight hundred and nine.

Art. 5. In consideration of the cession made in the foregoing articles of this treaty, the United States agree to pay to the said Wea tribe of Indians one thousand eight hundred and fifty dollars annually, in addition to the sum of one thousand one hundred and fifty dollars, (the amount of their former annuity) making a sum total of three thousand dollars, to be paid in silver by the United States annually to the said tribe, on the reservation described by the second article of this treaty.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid, and the sachems, chiefs and warriors of the Wea tribe of Indians, have hereunto set their hands, at St. Mary's, in the State of Ohio, this second day of October, in the year of our Lord one thousand eight hundred and eighteen.

JONATHAN JENNINGS,  
LEWIS CASS,  
B. PARKE.

Jaco x  
Shamania x  
Shequah, or little eyes x  
Quema, or young man x  
Pecquah x  
Shingonsa, or mink x  
Shepaqua, or leaves x  
KICKAPOO CHIEFS.  
Metagokoka, or big tree x  
Wako, or fox x

In presence of  
James Dill, Secretary to the Commission.  
Wm. Turner, Secretary.  
John Johnston, Indian Agent.  
William Prince, Indian Agent.  
B. F. Stickney, S. I. A.

John Connor,  
Joseph Barron, Interpreter.  
Jan. T. Chum, Maj. 3d Inf.  
J. Hackley, Capt. 3d Inf.  
Benedict J. Flaget, Bishop of Bardonia.

Now, therefore, be it known, that I, James Monroe, President of the United States of America, having seen and considered the said treaty, have, by and with the advice and consent of the senate, accepted, ratified, and confirmed the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and have signed the same with my hand.

Done at the city of Washington, this seventh day of January, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-third year of American Independence.

JAMES MONROE,  
By the President,  
JOHN QUINCY ADAMS,  
Secretary of State.

## MISCELLANEOUS.

FROM BELL'S LONDON MESSENGER.

### AMERICAN PRESIDENT'S SPEECH.

The speech of the American President is always considered, in this country, as secondary in importance only to the king's speech upon the opening of parliament—America being the only state which can at all compete with us in commercial enterprise and naval strength, she is naturally looked upon with an eye of constant vigilance and jealousy. Her political and national movements are considered with earnest attention, and they excite in us an interest correspondent with their magnitude and importance. America, in truth, is a country, whose increasing power, civilization, active and independent spirit (not exempt perhaps from some tincture of ambition) are bringing her daily into a nearer contact with the European commonwealth of states. She is, however, to be considered in another sense, in which her character becomes more magnificent and august. She is the fountain from which the waters of civilization flow through an immense portion of the habitable world. She is daily enlarging the sphere of law, justice, and religion, and introducing hand in hand with them, the comforts of civil society and the consolation of religion. She is, in truth, a missionary on the grandest scale. She is fulfilling the great purpose of Providence, in bringing the world by degrees (that portion of it at least which has been neglected by others) into order and law. Immense tribes of Indians are constantly engrafted upon her comprehensive stock, and imbued with those principles of government and law, the knowledge and love of which, when once communicated to men, are never forgotten or extinguished.

The annals of mankind, we believe, do not afford an example of a people, once recovered from barbarism, relapsing into the savage state. India and China are instances of the contrary: they have been the same for a multitude of ages. If such be the state of America, and such her relation, not only to us, but to the whole world, her national character, and her prosperity, are matters not only of importance, but of affectionate consideration for Europeans; and, as such, we have always been accustomed to regard them. National jealousy, and the subordinate objects of commercial rivalry, become lost under such considerations; and we look upon her increasing and flourishing condition as a boon to the whole world, and as a pure and unmixed good to the human race.

With respect to the present speech of the President, it certainly does not afford many topics for novelty. It intimates that the commercial arrangements between America and England are likely to be concluded upon a scale of great extent, and principles of mutual liberality. We do not regard this, however, as an advantage to either country: for commercial treaties are sure to be infringed, and then national quarrels are the consequence. Whereas, if commerce be left entirely to itself, it will very well consult and guard its own interests.

The dispute with Spain is alluded to, and the present condition of the Florida is critically examined. It certainly appears, that the President expected that the Spanish government would have ceded the Florida to the United States; Spain, not being in a condition to satisfy the demands of the United States upon her treasury, and being yet less able to keep the frontier provinces in due subordination. It is not to be questioned, that Spain would gladly sell the Florida to America; and America would gladly buy them; but she wants to take them in satisfaction of by-gone claims, whilst Spain is desirous of a new contract, and of a better bargain.

With respect to the execution of the two British subjects, Arbuthnot and Ambrister, the speech observes as follows: "Copies of the instructions to the commanding general, of his correspondence with the secretary of war, explaining his motives, and justifying his conduct, with a copy of the proceedings of the courts-martial of the trial of Arbuthnot and Ambrister; and of the correspondence between the secretary of state and the minister plenipotentiary of the United States at Madrid, with the government of Spain, will be laid before congress."

This subject will, perhaps, be adverted to in the debates of congress, and a correspondence between the British ambassador and the American minister, upon this extraordinary occurrence, is expected to be among the papers to be submitted to our own house of commons. But the most important part of this speech, is the annexation of the new country (the Illinois) to the union. The extent of the federal government has been almost doubled within the last twenty years; and it may soon become a question, whether it will not be, at last too large and unwieldy for the purposes of any combined political movements. The particular states indeed, have their own laws and government, and are only united for political and federative purposes; but it is scarcely possible, we think, to preserve, for any length of time, an intimate union between states, placed, some of them at least, at the distance of two thousand miles from the other, differing in climate, laws, habits, character, and in almost every thing but language.

It is, however, a most cheering consideration to observe, in this great country, how little the national expenditure presses upon the income and labor of individuals. There are no internal taxes; no excise; no poor rates. The customs are the only imposition, and they are laid upon the imports of foreigners; and inasmuch as they tend to encourage the manufactures of America, they are a popular tax in the country.

### STATE INSOLVENT LAWS.

FROM THE NATIONAL INTELLIGENCER.

Great interest having been excited respecting the recent decisions of the supreme court, on the subject of the state bankrupt and insolvent laws, we have obtained a statement of the points decided by the court, the accuracy of which may be depended on, and which we now lay before our readers. The opinions at large with the cases, and the arguments of counsel, will very soon appear in the 4th volume of Mr. Wheaton's Reports. It would be obviously impossible to include all these in the compass of a newspaper; and we have, therefore, limited ourselves to a brief analysis of the opinions of the court.

The first case on this subject which was heard and determined by the court, was that of Sturges against Crowninshield. This was an action of assumpsit against the defendant as promisor upon two promissory notes, both dated at New York, 22d March, 1811, for the sum of \$771 86 each, and payable to the plaintiff, one, on the first of August, and the other on the fifteenth of August, 1811. The defendant pleaded his discharge under "an act for the benefit of insolvent debtors and their creditors," passed by the legislature of New York, the third day of April, 1811. After stating the provisions of the act, the defendant's plea averred his compliance with them, and that he was discharged, and a certificate given to him the day of 1812.

To this plea, there was a general demurrer and joinder. At the October term of the circuit court, 1816, this cause came on to be argued and heard on the demurrer, and the following questions arose, viz:

1. Whether, since the adoption of the constitution of the United States, any state has authority to pass a bankrupt law, or whether the power is exclusively vested in the congress of the United States?

2. Whether the act of New York, passed the third day of April, 1811, and stated in the plea in this case, is a bankrupt act within the meaning of the constitution of the United States?

3. Whether the act aforesaid is an act or law impairing the obligation of contracts, within the meaning of the constitution of the United States?

4. Whether the plea is a good and sufficient bar of the plaintiff's action?

And, after hearing counsel upon the questions, the judges of the circuit court were opposed in opinion thereupon; and, upon motion of the plaintiff's counsel, the questions were certified to the supreme court, for their final decision.

On the first question, the supreme court were of opinion, that, until the power, contained in the constitution of the United States, to pass uniform laws throughout the union, on the subject of bankrupt law, provided such law contains no principle violating the 10th section of the 1st article of the constitution of the United States, which declares that "no state shall pass any law impairing the obligation of contracts."

This opinion, of course, rendered it unnecessary to consider the 2d question.

On the 3d question, the court were of opinion, that the act of New York, which was pleaded in this case, (and which not only liberates the person of the debtor, but discharges him from all liability for any debt previously contracted, on his surrendering his property in the manner it prescribes) is an act of law impairing the obligation of contracts within the meaning of the 10th section of the 1st article of the constitution of the United States. In delivering the judgment of the court, the chief justice stated, that, as to what was intended by the framers of the constitution when they used the terms, "any law impairing the obligation of contracts," it would seem difficult to substitute words which are more intelligible, or less liable to misconception. A contract is an agreement in which a party undertakes to do or not to do a particular thing. The law binds him to perform his undertaking, and this is, of course, the obligation of a contract. In the case at bar, the defendant had given his promissory note to pay the plaintiff a sum of money on or before a certain day. The contract binds him to pay that sum on that day, and this is its obligation. Any law, which releases a part of this obligation, must, in the literal sense of the word, impair it. Much more must a law impair it which makes it totally invalid, and entirely discharges it.

It was not necessary, nor would it have been safe, for the framers of the constitution to enumerate particular objects to which the principle they intended to establish should apply. The principle was the inviolability of contracts. This principle was to be protected in whatever form it might be assailed. To what purpose should the convention enumerate the particular modes of violation, which should be forbidden, when it was intended to forbid all? Had an enumeration of all the laws which might violate contracts been attempted, the provision must have been less complete and involved in more perplexity than it now is. The plain

and simple declaration, that no state shall pass any law impairing the obligation of contracts, includes insolvent laws, and all other laws, so far as they infringe the principle the convention intended to hold sacred, and no farther. But, the convention did not intend to prohibit the passage of all insolvent laws. To punish honest insolvency by imprisonment for life, and to make this a constitutional principle, would be an excess of inhumanity, which would not readily be imputed to the illustrious patriots who framed our constitution, or to the people who adopted it. The distinction between the obligation of a contract, and the remedy given by the legislature to enforce that obligation, exists in the nature of things. The remedy may be modified as the legislative wisdom shall direct, without impairing the obligation of the contract. Confinement of the debtor may be a punishment for not performing his contract, or may be allowed as a means of inducing him to perform it. But the state may refuse to inflict this punishment, or may withhold this means, and leave the contract in full force. Imprisonment is no part of the contract, and simply to relieve the prisoner does not impair its obligation.

The court also intimated that it had been contended at the bar, that this construction of the constitution would extend to statutes of limitation and laws against usury. The court did not think so. Statutes of limitation relate to the remedies which are furnished in the courts. They rather establish that certain circumstances shall amount to evidence that a contract has been performed, than dispense with its performance. But, if, in a state, where six years may be pleaded in bar to an action of assumpsit, a law should be passed declaring that contracts already in existence, and not barred by the statute, should be construed to be within it, there would be little doubt of its unconstitutionality. So with respect to the laws against usury. If the law be, that no person shall take more than six per cent per annum for the use of money, or that if more be reserved, the contract shall be void, a contract made thereafter reserving seven per cent, would have no obligation in its commencement. But, if a law should declare that contracts already entered into and reserving the legal interest should be usurious and void, either in the whole or in part, it would impair the obligation of the contract, and would be clearly unconstitutional.

The court stated, that this opinion was confined to the case actually under consideration. It was confined to a case in which a creditor sues in a court, the proceedings of which, the legislature, whose act is pleaded in bar, had not a right to control; and to a case where the creditor had not proceeded to execution against the body of his debtor within the state whose law attempts to absolve a confined insolvent debtor from his obligation. When such a case should arise, it would be considered.

Of course, the 4th question was resolved in the negative. The next case which came on for argument on this subject, was that of M'Callan against M'Neil. In this case the debt was contracted in the year 1813, in the state of South Carolina, both the parties then residing there. The debtor removed to Louisiana, and obtained his discharge in 1815, under the insolvent act of that state, passed in 1805. In 1817, a suit was commenced against him by the creditor, in the district court of Louisiana. The discharge under the law of that state was pleaded in bar; the plea was determined to be insufficient; judgment was rendered for the plaintiff; and the case was brought, by writ of error, before the supreme court of the United States.

This court determined, that the case was not distinguishable in principle, from that of Sturges against Crowninshield; that the law of Louisiana, so far as it purported to discharge the debt, was unconstitutional; and that the circumstance of the debt being contracted subsequent to the passage of the law by which it was attempted to be discharged, made no difference in the application of the principle.

FROM THE NEW-YORK GAZETTE.

MAGADORE, Jan. 16, 1849.

"The season has been unusually favorable for the ensuing harvest, the rains for a long period having been almost incessant. More so, than has been known for a number of years. On the other hand, the locusts have appeared in vast flights to the south and adjoining provinces, and if they do not disappear soon, may do much injury.

"In many parts of the country there has been literally a famine this last season. At this place, the price of wheat has been as high as two dollars and a half per English bushel.

"There are now here five English brigs, loading for London, but no vessels for the United States. Trade, in consequence of the high price of provisions, and the plague, is dead beyond description."



# Kentucky Gazette.

LEXINGTON: FRIDAY, APRIL 9.

The advertisements of this week exclude from the columns of the GAZETTE a number of articles prepared for publication. It is, however, to be remarked that, on account of the present tranquility of Europe, very little transatlantic news is received. The adjournment of Congress has also been succeeded by a dearth of domestic intelligence.

## MR. LACOCK AND GEN. JACKSON.

We have before us the reply of Mr. Lacock, to the strictures, which some time since appeared in the National Intelligencer, on the report of a committee of the senate upon the subject of the Seminole War. The writer of the strictures certainly displays much feeling—and goes so far as to intimate that Mr. Lacock's activity in the Senate, was induced by interested and personal motives—as the following note will shew:

"Mr. Lacock's son was contractor's agent, and failed in supplying Fort Scott. It has been intimated, that the father was interested in the contract."

Mr. Lacock, in his reply, assumes as a fact, that Gen. Jackson is the author of the strictures, although two officers, belonging to his family, were given up by the editors of the Intelligencer: and in answer to the allusion contained in the above note, refers to the following affidavit of Col. Orr, mayor of the city.

Washington County, Dist. Col. to wit.

"Personally appeared before the subscriber, a Justice of the Peace for the county aforesaid, Benjamin G. Orr, and made oath on the Holy Evangelist of Almighty God, that Abner Lacock, esq., late Senator from the state of Pennsylvania, was not directly or indirectly concerned with him in any contract which he has had with the War Department, at any time, and particularly with that for the state of Georgia, which the author of the strictures on the report of the select committee, says 'it has been intimated that' he 'was interested' in, neither was his son concerned further than as an agent, at a stated salary per annum."

"The deponent further says, that a few days prior to the appearance of the strictures, in conversation with Gen. Jackson, on the subject of the report of the committee of the senate, he was asked by the general, if Mr. Lacock, who had been his agent at Fort Scott, was the son of the Senator of that name, and on being answered in the affirmative, he further asked if he might so state it; the deponent replied, that as a fact he might dispose of it as he pleased; but that he could not perceive any connexion between it and the subject of the report of the committee; and, having been told that morning that a suspicion was entertained that Mr. Lacock had been a partner in his Georgia contract, the deponent took that opportunity of assuring general Jackson that it was wholly without foundation, which the general admitted he had been apprised of. And further 'this deponent saith not.'"

"Sworn before me, this 17th day of March, 1819."

"JOSEPH FORREST."

All imputation of corrupt motives in Mr. Lacock, we think, is unjust.

Over his proper signature, Mr. Lacock has told the nation, that Gen. Jackson, while at Washington city last winter threatened to cut off the ears of the senatorial committee; and that these threats were made in ball-rooms and taverns. If this be true, we can but acknowledge our surprise. However highly we regard the distinguished services of the general; however much we venerate him, who is justly styled the ablest military chieftain of the age; and however much we are disposed to palliate his improprieties in Florida; we never can justify menaces of the character of those with which General Jackson stands charged. The veriest despot, could not suspend over the head of his meanest subject, a threat more eminently calculated to harrow up both individual and national feeling. Military fame generally inspires modesty; and military experience should point out the proper degree of respect due to the civil administrators of our government. It were needless to urge the warmth of gen. Jackson's temper in defence of expressions intended to create terror in the senate. The general has lived too long not to have been conscious of their impropriety when they were made; and we doubt very much whether the senate will pass them by unnoticed at the next session. The illustrious achievements of the general had awed the whole nation into the most profound respect—but it is out of the question for any one man to drag on a brave and enlightened people into abject fear.

SPAIN.

No very late dates have come to hand, by which the real situation of this kingdom can be known. Letters from Madrid up to the last of December seem not to confirm the report of the abdication of the throne by Ferdinand, though they detail important revolutionary movements, indicating a speedy termination of his power.

An attack upon the capital had been projected by the rebellious and dissatisfied part of the nation, with the avowed intent to capture the royal family. The project was conceived by some of the leading military men of the kingdom; but upon its discovery, the plot was postponed.

The death of the queen had created much alarm in the bosom of Ferdinand. He was greatly fearful of the restoration of his father to the throne. The ministry, in order to be enabled to carry a large expedition into South America, had proposed selling to the other European powers, several of the Spanish colonial possessions. Among the rest, that of Cuba to England.—We believe the plan has not succeeded.

## BALTIMORE DISTURBANCE.

An unhappy occurrence took place in the city of Baltimore on the 17th of last month. The anniversary of the Irish tutelar Saint gave rise to it. Some persons had stuffed an effigy of St. Patrick, and suspended it on a small schooner, then under seizure of the collector. The Irishmen, on perceiving it, became excessively enraged, and commenced the destruction of the schooner.—But the surveyor addressed them, appealed to their patriotism, and reminded them of the stain they were about to fix on the government under which they had sought protection—when they consented peaceably to disperse.

There was, however, some little injury inflicted on one or two of the assembly. We regret that Baltimore should have again become the seat of a mob; and we exceedingly regret that this enlightened and patriotic city, has furnished an unwarrantable example of interference with the natives of IRELAND on occasion of their anniversary festival. American citizens in Europe celebrate the 4th of July; the birth day of Washington; and other illustrious epochs, without incurring the danger of being mobbed. This was done in England during the late war—and surely no portion of the American people ought to wish to be the first to depart from magnanimity of conduct towards foreigners. In the present instance, the foreigners who were molested, had fled from an oppressed country, and sought an asylum in a land of liberty. They should excite in our bosoms commiseration and interest, rather than turbulence of feeling and hatred.

## RELIGIOUS INFATUATION.

On the 13th of January, a number of persons, professed followers of Joanna South Coast, of English memory, assembled in the streets of London, headed by one Sibley, and exhibited the most extraordinary effects of religious enthusiasm. They met at the west end of the town, in order to enter the only gate of the great city, (Temple Bar,) through which they marched in procession about 9 o'clock in the morning. They paraded with different insignias of supposed special missions from Heaven—and after proceeding through Fleet street, up Ludgate Hill, and along St. Paul's church yard, to Budge Row, they imagined themselves in the midst of the city, and commenced the performance of their ceremonies. Sibley sounded the trumpet several times, and several times in a vociferous voice, proclaimed the second coming of Shiloh, the prince of peace and earth: And his poor deluded wife bawled out, "woe! woe! to the inhabitants of earth, because of the second coming of Shiloh!" About this time a large mob collected, and pelted these infatuated wretches with every sort of missile they could procure. However they were finally rescued from the mob, taken before a magistrate as disturbers of the peace, and committed for want of bail.

Learned, as are the people of England, we very much doubt if a score of Joannas—Lorenzos Dows—or any other religious lunatics—were to make a tour through Kentucky, if they could collect such a mass of deluded infatuation, as appeared in Budge-Row.

## Gazette Summary.

The Hon. Samuel Bell is elected governor of New-Hampshire, for the ensuing year. Arthur Livermore, Nathaniel Upham, Clifton Claggett, Joshua Butler, Joseph Buffman, and, it is believed, Wm. Plummer, Jr. are the representatives elect in congress from the same state. All republicans.

The democratic prints of Massachusetts seem sanguine of the success of the Republican ticket. The latest dates are the 20th ult. The election took place on Monday last. A week or two will give us the result.

It is understood that the President of the United States has set out on a tour

to the southern and western sections of the Union.

The one thousand pounds bequeathed to Philadelphia by Dr. Franklin, to be lent out to young mechanics, now amounts to \$15,774 and 25 cents.

On Thursday, the 20th ult. the beautiful steam boat CALHOUN, of 100 tons burthen, was launched at the boat yard one mile from Frankfort. It is the property of Col. James Johnson & Co.

STEPHEN GIRARD, Esq. of Philadelphia, has subscribed \$6,000 towards the rebuilding of the Masonic Hall, lately consumed by fire in that city.

The grand jury, at the Old Bailey, London, have found a bill against John Carlisle, bookseller, for publishing Paine's age of Reason.

Doctor Wolcott, better known as Peter Pindar, was buried on the 12th of January, in London, close to the remains of Mr. BUTLER, the celebrated author of Hudibras.

The secretary of the Navy left Washington on the 23d ult. on a visit to his residence in New York.

The marriage of Prince Frederic of Saxony, with the Archduchess Caroline of Austria, was to be celebrated at Vienna, about Christmas.

The U. S. Steam Boat, WESTERN ENGINEER, destined to explore the waters of the Mississippi, under the command of Maj. Long, was launched at the arsenal, near Pittsburgh on the 26th ult.

## LETTER II.

To the Editors of the Kentucky Gazette.

GENTLEMEN—Some weak and timid men, who are even residents of Lexington, have declared their hostility to the course which I have proposed to pursue; and from a fear, that it may prove injurious to their interests, by making our town unpopular with the legislature.—The motive is not more miserable, than would its effect be, if it had a cowardly influence on our practice; for the town would then become another society of primitive Quakers, turning the one cheek to be slapped, after being stricken on the other. I protest against this principle; for he who will suffer himself to be kicked, by one person, will be kicked in a similar manner by others; nor will, for any desire of gain, or the acquisition of power, surrender, or abandon, the right which I possess, to investigate the conduct of all public servants. This right, is derived from Heaven; and one of the great objects of our free constitution, was, to secure, and protect me, in its exercise.

Do the citizens of Lexington exclaim against the exercise of this right in the town of Frankfort, or in any other part of the state? If they have, I have never heard the story. The truth is, the abuse of it, can only become the subject of complaint; whilst its correct exercise, must ever be commendable, and subservient to the best interests of society. If history furnishes any correct lessons on that subject, and be a test of the truth of my remarks, it appears to me, that the people of every age, have ever more—by withholding censure from public men, than by freely bestowing it.

But, gentlemen, "I would," to use the language of the poet,

"rather be a dog, and bay the moon,  
Than such a Roman."

If I am to be deprived of this privilege; for then, I cease to possess all the privileges of a citizen; and am prevented from investigating the conduct of my public servants; and from communing with my countrymen, as to the means of correcting public errors.

I may err in my views of politics—but my errors belong to me alone; and not to my townsmen, with whom I have not consulted respecting them; and Lexington, might as well abuse Paris for strictures published in a Paris paper, as for any which I now make in the Gazette. Kentuckians are too generous, to damn a whole community, for the deeds of one.

HAMBLEN.

## LETTER III.

To the Honorable Samuel McKee and Solomon P. Sharpe.

GENTLEMEN—The present letter is intended, with others which will follow it, to bring your conduct during the last legislature, in full review before the people. If your characters as statesmen, should be impaired by the exposition, the fault will not be mine, but your own; and you cannot deny my right to make it. For all you have done, you are bound to account; and if, when weighed in the balance, you are found wanting, it will be with the people to give you the merited reward.

You were the most prominent men who supported the law to tax the branches of the United States Bank. You, like old mother Eve, held forth the apple for Adam to eat. You contended for the right of one state to put at defiance the acts of twenty others. Your influence was great; and upon you, must rest, the great sin.

I can pardon your errors of temper; or no man can divest himself of his feelings. I can pity the folly which mentoo often display, when under their influence. I must ever detest those, who from bad motives, bring evils on the community. But whether temper, or folly, or bad feelings, and I must add, bad judgment, bring the evils, the effects are the same; for the people suffer, from all, or any of these causes.

That you did, from motives, which I do not intend to question, contribute to bring our state into direct hostility with the government of the union, you cannot deny; because you voted for the act which I have alluded to; that you maintained, and supported, principles which would eventually have produced a dissolution of the union, but for the late decision of the supreme court, I

most solemnly aver: that the principles which you contended for during the last legislature, were calculated to sow the seeds of discord and civil war amongst the states; I pledge myself to prove in the series of letters which will follow the present one; and that you contended for measures, and aided in passing them, which, in themselves, were unconstitutional. I will prove, yet more, that you have contributed to sully the fair fame which Kentucky has acquired during the late war, and almost placed her on a level with the states which sent representatives to the Hartford Convention; thus endeavoring to make Kentucky commit a *filio de se*.

These will be the subjects of several letters; and if you suffer by their publication, I repeat again, the fault will be yours; not mine. I shall write, and publish freely; although your friends may raise the cry of Lexington Junto—Lexington dictation—and present to the public view other buggaboos, hydras, and jack-o-the-lanterns, to withdraw the eye of the people from your public conduct—for that, whatever be the consequences, shall be fully investigated.

HAMBLEN.

## SOUTH AMERICA.

NEW-YORK, March 11.

We have been favored by a respectable commercial house of this city, with the Ministerial Gazette Extraordinary of Chili, published at Santiago on the 10th of November, 1818, containing the official despatch of Don Manuel Blanco Encalada, admiral of the naval forces of Chili, dated the 5th of November, acquainting the supreme director of the provinces with the capture of the royal frigate called *Maria Isabel*, cut out of the port of the island of Santa Maria, after two engagements, one on the 28th of October, in the afternoon and evening, and the other on the 29th, in the morning, which lasted six hours, the patriots having lost 27 killed and 20 wounded.

The admiral extols the valor and bravery of all the officers and crew, and particularly recommends captains William Wilkinson, and Charles Wooster, who have established the best discipline and order in their respective vessels. He mentions with praise, Lieutenants N. Beles, W. J. Compton, J. Ramsey, A. Beson, F. Bergman, W. Millar, J. Young, A. Soto, M. Barnes, J. Helly, R. Pearson, J. Hutchinson, W. Winter, W. Malozo, T. Manning, and F. Arias.

Other particulars of said capture, and her arrival at Valparaiso, being already published, we extract from the said Gazette the following article, from a private letter from the admiral to a friend of his:—

MY DEAR FRIEND—The *Maria Isabel*, for whom we have sighed so much, is in my possession. She is very beautiful, and of admirable swiftness. I do not believe, that in the South Sea there is any vessel that may vie with her, and perhaps not in the world. By her log-book from Cadiz, it appears that she has some times sailed at the rate of thirteen miles in an hour, which I never heard of before, since I served in the navy.—She out-sails the famous brig *Araucano*, and the *Corbata Cabacubo*, with the same facility as they do the *Lautaro*. Her artillery is two years old, and most excellent. Not a drop of water has been found in her hull since her departure from Cadiz, and is most richly equipped. She will prove to us a most valuable acquisition; for having her, neither the *Esmeralda*, nor the *Venganza*, nor even the wind itself, in the shape of a frigate, will escape us. Only the good luck that attends me, as I told you, could have shut her up in a port; for at sea we could never have taken her.

NEW-YORK, March 13.

FROM VERA CRUZ.

By captain Swain, in 28 days from Vera Cruz, we learn, that the Patriots, 5 and 600 at a time, were coming in to the Royalists; daily; and that the coast was all clear from Vera Cruz to Mexico.

Gen. McGregor's troops were, at the last accounts, lying off Aux Cayes in two transports, well provisioned, and well equipped. He had gone to Port-au-Prince, to make arrangements with President Boyer to obtain a rendezvous in his ports. More troops were daily expected, when an immediate descent would be made on some of the strong holds of the Royalists.

Reinforcements for the patriots continue to be raised in England, and sent off to South-America. We suspect the Patriots will have more trouble with their English allies, than they would have had in a single-handed contest with the Spanish royalists. As the British government connives at the enlistment and embarkation of those troops, it is probable she hopes through their means to acquire a footing in the country when the Spanish power shall be extinct. Let the Patriots look to this British domination in India. It is not more merciful, than Spanish in South America.

LONDON, JAN. 19.

The following is an extract of a letter from the Agent at Lloyd's, at Buenos Ayres, dated Oct. 25:—

"It is reported that Talcahuana is evacuated by the royalists, and that part of them have returned to Lima, and the rest to Valdivia. Licenses have been granted by the viceroy of Peru, admitting English vessels to enter in Calao with cargoes of wheat, and in consequence, several vessels were loading at Valparaiso for that destination.

His majesty's ship *Blossom* has had an engagement with an insurgent privateer in the South Seas, but no particulars are known."

PHILADELPHIA, March 22.  
It is stated in the Baltimore Patriot, that the brig *Josephine*, captain Hampton, from Lagaira, of and bound to Philadelphia, was captured on the 27th Jan. last, by a Venezuelan brig called the *Oronico*, but have no particulars.

A letter has been received in Salem, dated Dec. 15, 1818, stating that the American ship *Retrieve*, Capt. Gerrish, was lost soon after leaving Cronstadt.—She had a very valuable cargo on board.

The Albert, Capt. Plince, in 27 days from Havana, arrived at Holmes' Hole on the 14th inst. The Albert, on the 9th inst. at 7 A. M. picked up the boat of the schr. *Morning Star*, of New York, Welden, from Mobile, with her crew and one passenger—the vessel having caught fire the same morning at half past 5.—In about 20 minutes after the people got on board the Albert, the schr. broke out in flames and fell off before the wind and was out of sight in about an hour and a half.

It is stated in the New-York Columbian, that on Thursday two of the prisoners who lately escaped from the Philadelphia state prison, were taken in that city.—"They made a desperate resistance, armed with a knife and a hatchet, but were eventually taken without bloodshed.—Their real names are James M'Ilhenny and William Stevenson. The former has been a tenant of our state prison."

## Latest From Europe.

BOSTON, March 13.

We have been favored with a series of Paris papers to the 21st January—twenty days latest, received by the *Mary Jane*, from Havre.

An entire change had taken place in the French Ministry.—The Duke of Richelieu, and his associates, had resigned; and the Marquis Desoles had succeeded as Prime Minister. The old Ministers had been made Privy Counsellors. A small advance of the stocks was stated to be the effect of this change; which was considered favorable to the existing Charter, and order of things.

The French Parliament was proceeding very leisurely in the ordinary legislation of the kingdom. The most perfect quiet reigned in every part; and some of the exiles of 1815 (of the second class) were from time to time returning. General Alix was the last. Those of the first class will probably never be pardoned.—A bill was before the Chamber of Peers for the abolition of the *Droit d'Aubaine*; a law by which the effects of strangers dying in France become forfeited to the crown. Sterne, in his Sentimental Journey, denounces the cruelty of this law. It will be recollected that in the treaty of 1778, between the United States and France, the law was suspended as it respected Americans.

All the nations were cultivating the arts of peace; and turning the engines of war to the implements of husbandry. All the war horses returned to Prussia had been given to the farmers, they promising to furnish the King with other horses, when a new war breaks out.

The Paris papers contain London dates to January 15. The British Parliament assembled on the 14th. On the opening of the House of Commons, Mr. Manners Sutton was re-elected Speaker. It was expected that the Speech would be delivered on the 21st, until which time the session would be only formal.

British stocks, January 15.—Three per cent. consols 77 7/8; ditto for acc. 79; red. 78 1/2—three and a half 87 1/2.

The receipts of the Theatres and principal public gardens of Paris, during the year 1818, amounted to 5,017,526 francs.

## ARMY OF EUROPE.

In a statistical survey of Europe, lately published at Vienna, it is estimated that the armed force of Europe, on the Peace Establishment, consists of 1,723 thousand men, and on a War Establishment, of 3,908,000. The marine is calculated at 462 vessels of the line, 310 frigates, and 1032 vessels of lesser rank.

The London Courier contains a long list of the accidents and thefts in London during the prevalence of the late fog. A great number of persons had their watches taken from their fobs, carriages were robbed, and females had their hats and shawls stolen. Many accidents arose from carriages running against each other. The fog operated so effectually on the vision of the audience at Drury Lane Theatre, that those in front of the house were not able to see the scenery during the first act of the play. The noise made by people in the streets was frightful, some shrieking from terror, and others crying out, take care, and enquiring their way.

A London paper says, the town of Althingham was disgraced last week by a relic of barbarism. One William Yorwood, after expending ten-pence in the purchase of a new halter, tied it round the neck of his wife, and led her into the market place, where, after showing her, and expatiating on her good qualities, he sold her for ONE PENNY!

London Morning Post of January 5.

Attempt to effect the escape of Napoleon Bonaparte.

A gentleman just arrived from St. Helena, gives the following particulars of the late attempt to effect the escape of Bonaparte from that island. Our information is derived from a most respectable source, and we therefore, without hesitation, lay it before our readers just as we received it.—

"An American vessel, apparently distressed and otherwise injured, but purposely damaged, to avoid suspicion, made her appearance off St. Helena. The necessary repairs were entered on with

the greatest activity, whilst other schemes were prosecuting with industry in the interior. It had for some time previously been deemed expedient to have a daily view of the person of Bonaparte by a person appointed for that particular duty—his medical attendant, however, now caused it to be notified that the precarious state of the Emperor's health was such as to render it necessary that he should remain perfectly quiet at home, unmolested by any personal inspection. In this feigned state of indisposition the witty Napoleon secretly quitted his bed-room about midnight—by means the most artful, he actually passed the guard, and eluding the vigilance of no less than seven sentinels, succeeded in reaching the beach.

This was a juncture of high interest! The means of escape which the Ex-Emperor was led so confidently to expect were, however, not yet perfect. It had been concerted that a certain signal should be given by him on his arrival at the beach. The signal was duly given, by hoisting a lantern at the end of a walking stick; but the boat which was to receive him not having yet sufficiently approached the shore, a single sentinel (of whose station on the beach Bonaparte had not been apprised,) on perceiving the light, came up, and with a fidelity equal to his resolution, seized the once Great Captain, whose very name had been the terror of millions. He instantly forced him to the Guard-house, from whence he was conveyed back to Longwood, where, it is scarcely necessary to add, he has ever since been watched with increased vigilance, though not treated personally with any, the slightest degree of rigor.

PARIS, JAN. 11.

The new English expedition to explore the interior of Africa, is under the command of M. Ritchie, recently private secretary of the English Ambassador at Paris—his associates are Lieut. Lyon, of the English ship *Albion*, M. Dupont, French naturalist, a surgeon, and a carpenter. The Bashaw and a military escort are to accompany them from Tripoli, where they now are, as far as Mourzook—they ought to have a similar protection during the whole of their journey.

PARIS, JAN. 13.

A kind of insurrection, during the last two days, manifested itself amongst the young students of the College of Louis de Grande, in number about 600.

For some time past they have, in general, made complaints of their diet being bad, that they were treated with too much severity, and that they were only furnished with one coat every 18 months, instead of every year as formerly.

On the 16th inst. these youths declared open mutiny. They began by using violence towards one of the Professors who had displeased them; they broke open the doors of their different quarters, and set the authority of the directors at defiance.

The Provost was compelled to call in the police officers, as also an armed force; the most culpable of the young delinquents were taken in their rooms, and conducted to the residence of their parents.

On the 17th, (Sunday) the commotion was renewed by those students who remained in the college, of whom there was a considerable number. After committing various excesses, they barricaded themselves in one quarter, and announced their intention of opposing the most formidable resistance. A detachment of *gendarmerie*, consisting of 40 men, with 25 of the corps of fire-men, presented themselves, and summoned these young mutineers to surrender; a sort of capitulation took place, and the whole of the students have been conveyed to their families, with the exception of a dozen, who have been sent to prison.

The above are the most accurate details which I have been able to collect relative to this affair; which does not fail to make great noise in Paris at this moment.

FROM AN ENGLISH PAPER.

Outrage on Quakers, at Carlrow. As a number of females of the Society of Friends, were lately coming out of their meeting-house, at Carlrow, they were assailed by a vile rabble, who, not content with using such missiles as fell directly in their way, raked the very kennels for filth and ordure to heap on the persons of these respectable people. The Roman Catholic priest of the town, the Rev. Wm. Fitzgerald, addressed his parishioners next Sunday, on the subject of this brutal outrage, in the following terms:

"My very soul is harrowed up at the recollection of such an abomination!—Some of these wretches are said to be Catholics—but I disown them. Christianity disclaims, and Catholicity abhors them—they are the excommunicate of civil society. Such wretches, in Jerusalem, at the time of the persecution of the Messiah, were the first to cry out, 'Crucify Jesus!' [An exclamation of horror ran through the congregation.] Such wretches, in Constantinople, would be the very degs of Mahometan fanaticism. I thank God their number is small; and I am sure they are the vilest, the lowest, and foulest degs of the people."

## Shoemaking & Mending.

THE subscriber informs the citizens of Lexington, that he has commenced the above business in the shop formerly occupied by Leonard Taylor, on Main-Cross street, opposite Mr. John Eads's blacksmith shop, where making and mending shoes are done cheaper and on better terms, than any other shop in Lexington.

The subscriber also understands the great and mysterious art of making the Yankee Peg Shoes, and also mends with pegs.

March 19-12:3

JOHN FINK



## DOMESTIC.

The salutary influence of the general government over that of the individual states in acting as a general moderator of the measures of the states, has never been more sensibly felt than during the late term of the Supreme Court. That dignified tribunal has given judgment in several very important cases in direct opposition to legislative acts and judicial decisions of some of the states. For several years past the state of New-Hampshire has been kept in a turmoil by an act of the legislature confirmed by the judicial authority of that state, altering the charter and constitution of Dartmouth College, taking the management of the affairs of the corporation from one set of trustees and vesting it in another. The question was carried up to the Supreme Court of the United States, where it has been decreed that all those proceedings on the part of the state were unconstitutional and void, and have restored the college to the direction of its legitimate managers, who have taken formal possession under the decree, and ousted that creature of the state called the University.

The states of Maryland, Kentucky, Ohio, and some others, have claimed and attempted to exercise the right of taxing the branches of the Bank of the United States within their respective jurisdictions. This claim has been resisted by the bank and the question has been most ably, satisfactorily, and conclusively settled by the Supreme Court in opposition to the state pretensions, though urged by a considerable number of states in repeated legislative acts as well as judicial decisions.

In like manner, several of the most powerful states in the confederation, have in operation insolvent laws in the nature of bankrupt acts, which the same tribunal has pronounced to be unconstitutional and of course nugatory. All those decisions are of great interest and importance both intrinsically, and as they go to exemplify the salutary and superintending control which that court holds over many of the acts of the individual states. Though state pride may take the alarm at the exercise of this control, we cannot but view it as a power very wisely given and judiciously vested for the purpose of repressing extravagant and selfish acts on the part of the state governments.—*Phil. Union.*

We were not a little surprised, says the New York Evening Post, to perceive the other day, in reading the report of the debates in Parliament, in which these executions [of Arbuthnot and Ambrister] were incidentally mentioned, that in answer to the following expressions, which fell from the Marquis of Londown, the answer was given by the British Minister, which also follows:

"He learned from the speech, with pleasure, that our commercial relations [with the United States] continued the same, and he could not believe that the execution of the two unfortunate individuals, Arbuthnot and Ambrister, had been sanctioned by the American government; a transaction in itself repugnant to the feelings of all civilized states."

To which the minister replies: "On the subject of America, he should state, that the act alluded to had been wholly unauthorised by the American government, and at a proper opportunity a full explanation should be given to the house of whatever had taken place relative to that subject."

What says John Quincy Adams, Esq. to this?

New-York, March 18.

**IMPORTANT TO MERCHANTS.**  
The Legislature of this state have, during their present session, in compliance with the memorial of the chamber of commerce, passed a law imposing the following damages on bills of exchange that may hereafter be drawn on places within the United States, or places adjacent thereto, and returned under protest for non-payment, to wit:

Drafts on New-Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, or District of Columbia, 5 per cent.

On North or South Carolina, or Georgia, 7½ per cent.

On any other state or territory of the United States, or on adjacent to this continent, and north of the equator, comprehending the British and all their foreign possessions in the West Indies, and elsewhere, in the Western Atlantic ocean, 10 per cent.

These damages to be in lieu of interest, and all charges, to the time at which the notice of protest has been given, and the amount, if drawn in the currency of the United States, to be paid at par, if in any other currency, at the rate of exchange current at the time of such notice.

Much benefit may be expected by the commercial community, from this necessary and long wished for provision against the innumerable speculations of financiers and speculators.

FROM THE ALBANY ARGUS.

The editors of the National Intelligencer have taken an unusual interest in the law for changing the sales of public lands. An attempt was made to hurry through this law at the last day of the session. Credit, which we had almost said was indispensable, on the sale of land, is to be abolished. Are the editors of the National Intelligencer aware of the effects of such a law? Do they believe that the tide of emigration will cease to flow? And do they not perceive that those emigrants who have not ready money for purchase, will become what is termed "squatters," and, that in a

very few years, this formidable population, becoming desperate by circumstances, would require the whole ten thousand regular troops in employ of the United States to over them; and what would be the consequence of such a measure? We think it fortunate that the bill was not hurried through. In our opinion, its passage would have endangered the union of these states; and we say this, after having given the subject mature reflection. No! reduce the medium price, and give credit, which is the soul of enterprise—more hereafter. W.

FROM THE NATIONAL INTELLIGENCER.

**NATIONAL JUBILEE.**  
"Ye shall hallow the year, and proclaim Liberty through out all the land, unto all the inhabitants thereof." "It shall be a Jubilee unto you."—*Leviticus, xxv. 10.*

A National Jubilee was celebrated in England, on the attainment by the monarch of the fiftieth year of his reign. The idea is derived from the Hebrews. Every seventh year was with them a Sabbath year. The year succeeding the completion of seven Sabbath years, was the year of Jubilee. The American people will devise appropriate modes of celebration, consonant to their institutions, if they should determine on the observance of a Jubilee.

The following resolution has been passed by an institution at a distance from the seat of government.  
"Resolved, That it will be expedient, on the Fourth day of July, which shall immediately succeed the admission of the twenty-sixth State into the American Union, being the first duplication of the original and revolutionary Third, to celebrate a NATIONAL JUBILEE throughout the United States of America."

The present number of states in the general Republic is twenty-one. Alabama, Missouri, Florida, Maine, Michigan, may constitute the supplementary five.

The duplication of our Republics within one generation, and the quadruplication of the people, will present an appalling spectacle to the covert and to the open enemies of Liberty, throughout the world.

No spectacle upon this earth, can be more sublime than that of a FREE PEOPLE offering to the Governor of the Universe their testimonials of gratitude, for the invaluable privileges and blessings conferred upon them.

FAVETTE.

## SALES.

On Saturday the 17th instant, WILL BE SOLD AT THE AUCTION ROOMS OF **Shreve & Combs,**

10 PACKAGES of French Paper Hangings, very elegant—part of which are grazed patterns.

An invoice of Thread Laces and Edgings of superior quality, well assorted—amounting to 10,000 French prime cost.  
Superfine Black Cloths,  
Silk Hose, embroidered,  
Irish Linens, as ordered,  
Irish Linen Shirts of very superior quality,  
London make,  
30,000 best Irish Quills,  
1 Cask of Cutlery, well assorted.

ALSO,

A quantity of Carolina Hoes, of various sizes, together with  
A superb assortment of JEWELRY, with many other articles—as more particulars will be expressed in bills of the day.

Terms liberal. **SHREVE & COMBS,**  
Aucts. & Com. Merchts.

April 9—15-2t

**Superb Pearl Ornaments,**

CONSISTING OF NEW AND FASHIONABLE

**Head Ornaments, Lockets, Brooches**

**and Breast-Pins, just received by**

**JAMES M. PIKE,**

No. 7, CHIEFSIDE.

WHICH for richness and elegance, never have been equalled by any former importations; the ladies are respectfully invited to call and examine them.

Lex. April 9th—1f

**Music, & Musical Instruments.**

THE subscriber has purchased J. C. WENZEL'S stock of Music and Musical Instruments, and has removed them to his Bookstore on Main-street, opposite the Farmers' & Mechanics' Bank, where he will at all times keep on hand a complete assortment of the most

**Fashionable Music.**

Together with **VIOLINS, FLUTES, FLAGEOLETS, FIFES, DRUMS, TAMBOURINES, &c.**

**JAMES W. PALMER.**  
Lexington, April 7, 1819—15-3t

**Ohio Bank Notes,**

WILL BE RECEIVED

**In Payment for GOODS,**

SOME at par, and others at small discount by

**ARCAMBAL & NOUVEL,**

Main-st. Fronting the old Market place.

Lex. April 17, 1819—15-3t

**Soldiers' Patents.**

THE subscriber wishes to purchase a number of PATENTS for Military Bounty Land in the Missouri territory, for which a generous price will be given. He wishes to sell an undivided interest of

**5,000 Acres of Land,**

In E. Winters' Grant, in the territory of Arkansas—Also,

**1400 Acres of Land,**

In the Missouri territory, purchased at the late sales. For further information, apply to the subscriber, or to T. & J. Anderson, Lexington.

April 9, 1819—1f

**CINCINNATI PORTER.**

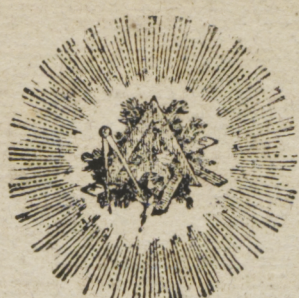
JUST received from the Brewery of Messrs. Perry & Italy, Cincinnati, a supply of

**Very Superior Porter,**

WHICH is offered for sale to retailers on my usual moderate terms, and shall receive from time to time an additional supply.

**W. CONNELL.**  
April 9, 1819—1f

N.B. Any orders for bottled Porter sent from the country, will be strictly attended to after the first of May.



## Lexington R. A. C. No. 1.

THE Members of this Chapter, are requested to attend a meeting to be held on **TUESDAY EVENING** the 13th instant, precisely at 6 o'clock.

By order of the M. E. H. P.

April 9, A. D. 1819.

Y. D. 2349, A. L. 5819.

## Tammany Society.

A MEETING of the Tammany Society, or Brethren of the Columbian Order, will be held at their Wigwag, on **THIS EVENING** precisely at the going down of the sun. It is hoped that the brethren will give punctual attendance.

By order of the Grand Sachem,

R. H. CHINN, Sec'y.

Month of Plants 9th

Y. D. 327.

## ATTENTION!!

THE Court of Appeals for the 42d Regt. K. M. will sit at the house of Benj. Lanphier, in the town of Lexington, on Monday the 3d of May next, at 10 o'clock A. M. precisely, where all those that think themselves aggrieved by the decisions of the late Regimental Court of assessment for said Regt., may attend if they see cause, or send in their appeals duly authenticated as the law directs, previous to the sitting of the Court. By order of

**HENRY BEARD, Lt. Col.**

Com'd 42d Regt. K. M.

April 9th, 1819—15-3t

## Lexington Theatre.

THIS building, large and capacious, is situated on Water and Spring-streets, and for years past it has been occupied for theatrical displays in Lexington. It has recently received inside embellishments, to the amount of two thousand dollars in value.

The extent of the population of the town and neighborhood; the fine literary taste of those who constitute theatrical audiences; the liberality of the trustees in not imposing a tax on companies; and the distinguished encouragement the institution has heretofore received, renders Lexington, as it regards Dramatic exhibitions, the Athens of the west. The building will hold an audience capable of yielding 6 or 700 dollars a night. The undersigned, being at this time the sole proprietor, offers the above described Theatre to Let on reasonable terms to any genteel company who may apply to him first. An Eastern company, on their way out, will find encouragement at Pittsburgh, Cincinnati, Lexington upon their arrival, Frankfort and Louisville, as well as at many of the smaller towns in Ohio and Kentucky.

**LUKE USHER.**

Lexington, April 9, 1819—1f

The Patriot of Baltimore, Columbian of N. York, and Independent Chronicle & Boston Patriot, will insert the above advertisement 3 times in their respective papers, and forward their accounts to the office of the Kentucky Gazette for payment.

L. U.

**NOTICE.**

Will be Sold, on **TUESDAY 4th of MAY** next, At the Inn of Mr. Arnold, on the road from Georgetown to Cincinnati, the One Half of

**20,000 Acres of Land,**

Being an undivided moiety between the heirs of Carnahan and Lodge, running several miles on Eagle creek, with the advantage of several other streams suitable for either grist or saw mills. The land is well timbered, and the larger portion of an excellent quality, and none better for stock. There are several improvements made on said tract, without pretensions as to dispute, it being in the county of Owens, and nearly, if not altogether, in the centre of said county. A good title and possession given immediately. Sale to commence at 1 o'clock P. M. said day, when the terms will be made known, and attendance given by

**JAMES McLELLATTEN.**

N. B. Young Negroes will be taken in payment.

April 8, 1819—15-3t

## Treasury Department.

Second Comptroller's Office,

March 25 1819.

WHEREAS, by an act entitled "an act regulating the payments to invalid pensioners," passed the 3d of the present month, an affidavit of two surgeons or physicians, as to the continuance and rate of disability of the several applicants must accompany their respective applications for the first payment which shall fall due after the 4th of March next, and at the end of every two years thereafter; and whereas some misunderstanding may arise as to the time when the above mentioned act shall go into operation:

This is to notify all whom it may concern, that, by the construction given to the said act by the second comptroller of the treasury, the before mentioned affidavits (agreeably to the form published by the hon. Secretary of War, under date of 23d inst.) will be required to accompany the applications for all pensions to which they apply, falling due on or the 4th day of September next.

**RICHARD CUTTS,**

Second Comptroller.

15

Printers authorised to publish the laws of the United States will insert the above, once a week till the 1st of September next.

**State of Kentucky.**

BATH GIBBERT, Sec'y—March Term, 1819.

Benjamin Clark's heirs, Complainants,

Against,

Robert D. Gale's heirs and others, heirs of Matthew Gale, dec'd.

**IN CHANCERY.**

IT appearing to the satisfaction of this court, that Judith Gale, wife of Robert D. Gale, Valorey Gale, Elizabeth Gale, Lucy Gale, Robert Gale, heirs of Robert D. Gale, and John Gale, Matthew Gale, Mary E. Gale and Ann Gale, and they not having entered their appearance herein agreeably to law and the rules of this court, are no inhabitants of this commonwealth: it is therefore ordered, that unless they make their appearance herein the first day of the next term, file their answer, plea or demurrer, or otherwise file the bill of the complainants will be taken for confessed against them; and it is further ordered, that a copy of this order be inserted in some daily authorised newspaper two months successively. A copy. Att.

**ANDREW TRUMBO, d. c. c. c.**

April 9, 1819—2m.

## NOTICE.

THE Stated Annual Meeting of the Kentucky Bible Society, auxiliary to the American Bible Society, will be held at Frankfort, on the third Thursday of the present month. The attendance of the members and friends to the institution, is respectfully requested.

By order of the Managers,

**JAMES TROTTER, V. Pres.**

April 7th, 1819—1t

## List of Letters

REMAINING in the Post Office at Lexington, on the 1st day of April, 1819, which, if not taken out before the expiration of three months, will be sent to the General Post Office as dead letters.

A

Armstrong William

Allen Davis

Atkinson Mester

Armstrong Davis

Askins Berryman

Antim William

Anderson Elizabeth

Adkins Thomas

Alexander John

Ashurst Robert

Berthelemy Jacques

Berryman Gilson

Bruen Joseph

Brown Philip

Bradley Terry

Beck Mary

Boone William

Booth William

Boler John

Brooks Benjamin

Barnett Marquis

Racon Limon

Bledsoe Simeon

Benning Perkins

Bowlin Fanny

Bullock Thomas

Burger John

Bowlin William

Baldwin Robert

Bloomfield G. B.

Brown William

Brown William

Bugan Daniel

Busan H. B.

Bane Maria

Bowdware Elizabeth

Berry Jane

Busby James

C

Crane Gerard

Clark John

Callih Mary

Caldwell John

Children Lindsey

Comstock Brown

Chambers Robert

Chambers Thomas

Cooke J. B.

Conners Henry

Cropper Thomas

Conner William

Conner Harrison

Crummough John

Calvin Pelie

Cook Valentine

Christian Andrew

Campbell William

Curtis George B.

Campbell James

Coverdale Jacob

Campbell Isaac

Clark James

Carson Eliza

Coffman David

Clark Catherine

Carter Robert

Christian Thomas

Close Henry

Christian John

Clemson A. B.

D

Duval Sarah

Dumas Mildred

Davis Garrard

Davenport Wm.

Dickinson Thomas I.

Diwworth Christopher

Denney John

Darell Peter

Dawson Samuel

Davis William

Duncan Wm.

E

Edward Mr.

Erwin Jane

Elliott James

Edwards William

Edmonds Jacob

Eavis John S.

F

Ferguson Geo. C.

Foley Elijah

Faulconer Joseph

Fisher Clement

Faulchier John J.

Felding John

Fennedy Robert

Frothingham Charles

Fowler Samuel

Finley John

Finch Edward

Fisher James

G

Gardner Francis

Gird Edwin

Goodwin Joseph G.

Grimes Charles B.

Gowen Gilbert

Grand W. W.

Gray Richard

Gowans Walter

Greenwood John P.

Stewart James

Garrison Thomas

Gatewood Larkin

George John G.

Grant David

H

Haman Thomas

Hannah William

Hamilton John

Holten Richd. C.

Huns John

Holmbeck Harry C.



